

MINUTES

MANSFIELD PLANNING AND ZONING COMMISSION

Regular Meeting, Tuesday, October 3, 2006

Council Chambers, Audrey P. Beck Municipal Building

Members present: R. Favretti (Chairman), B. Gardner, R. Hall, K. Holt, P. Kochenburger, B. Ryan, G. Zimmer

Members absent: J. Goodwin, P. Plante

Alternates present: C. Kusmer, B. Pociask

Alternate absent: V. Stearns

Staff present: G. Padick (Director of Planning) and C. Hirsch (Zoning Agent)

Chairman Favretti called the meeting to order at 7:46 p.m., appointing Alternates Pociask and Kusmer to act due to member absence.

Minutes:

9/18/06- Holt MOVED, Ryan seconded, to approve the Minutes of 9/18/06 with a correction on page 5: Item A Public Hearing should be Item B. Favretti noted that since his absence at the 9-18-06 meeting, he has listened to the tapes of the meeting. MOTION PASSED with Hall and Kusmer disqualified, and all others in favor.

Scheduled Business:

Zoning Agent's Report

Items A and B were noted. Commission members had no comments.

C. Update on Hall site restoration, trailer removal activities

Hirsch notified the Commission that no change has occurred at the Edward Hall site or the new site location for the trailers in Ashford. Hirsch reported that he has scheduled a meeting for October 10, 2006 between Mr. Hall, his attorney and the Town, regarding the Eric Hall site.

D. Other

Hirsch reported to the Commission that the Paideia site on Dog Lane has been issued a stop work order by the Building Official for the lack of inspection on the footings before the concrete was poured. Until Paideia has satisfied the Building Official there will be no continuation of work on this site.

Pociask questioned Hirsch if there are any restrictions for parking in front of the Public America Gas Station located at 1659 Storrs Road. He mentioned that the cars pull up in front of the store creating the potential to cause an accident. He inquired if there were any provisions on the originally approved plans that may have been overlooked and could prevent the motorists from parking there. Hirsch stated he will confer with the Building Official and Fire Marshal and report back at the next meeting.

Old Business:

1. Special Permit application of the Town of Mansfield for proposed River Park improvements, Plains Road, File #1249

With no discussion, Gardner MOVED, Holt seconded, to approve with conditions the special permit application (File #1249) of the Town of Mansfield for park improvements, including a canoe ramp, parking area, and multi-use field on property located on the northerly side of Plains Road and immediately east of the Willimantic River, in a Flood Hazard Zone, as submitted to the Commission and shown on plans revised through 9/1/06 and as presented at Public Hearings on 8/7/06, 9/5/06, and 9/18/06. This approval is granted because the application as hereby approved is considered to be in compliance with Article V, Section B, Article X, Section E and other provisions of the Mansfield Zoning Regulations, and is granted with the following conditions:

1. This approval is limited to phase 1 improvements. All other potential improvements depicted on the plans shall require subsequent review and approval pursuant to Zoning Regulation requirements.

2. No Zoning Permit shall be issued and no construction activity shall begin until all required approvals from the Connecticut Department of Environmental Protection have been obtained.

3. Final plans shall include the following revisions:

· The canoe ramp shall be widened to twelve (12) feet in width and a removable barrier designed to limit access to the ramp to emergency vehicles shall be added. The removable barrier shall be acceptable to the PZC Chairman with staff assistance.

4. The proposed number of onsite parking spaces is acceptable based on the planned passive use of the River Park area. Recognizing that Plains Road will occasionally be used for roadside parking, the applicant shall seek approval from the Traffic Authority to post "No Parking" signs along the northerly side of Plains Road. In the event the park is used for programmed activities, or for other reasons parking problems arise, the PZC reserves the right to require the applicant to provide more off-road parking.

5. This permit shall not become valid until the applicant obtains the permit form from the Planning Office and files it on the Land Records.

This approval waives several provisions of Article V, Section A.3.c. (location map, A-2 Survey, etc.), as the information submitted is considered adequate to review all applicable approval criteria. MOTION PASSED with Pociask and Hall disqualified, all others in favor.

Public Hearings:

A. Special Permit Application, Proposed E.O. Smith High School classrooms at 85 Depot Road, Regional School District #19 applicant, File #1251

Chairman Favretti opened the continued Public Hearing at 8:04 p.m. Members and alternates present were: Favretti, Gardner, Hall, Holt, Kochenburger, Zimmer and Alternates Pociask and Kusmer, with Ryan disqualifying herself. Padick referenced a 9/20/06 memo from Rob Miller of EHHD, a 9/22/06 ruling from the ZBA, a 9/26/06 letter from Bruce Silva, Superintendent of Regional School District 19, and a 9/29/06 letter from Derri Owen. Padick briefly explained that the memo from Silva is requesting

an extension of the Public Hearing to address changes in the plans due to the denial from the ZBA. The applicant will be submitting revised plans for the next meeting.

Seeing no representation on behalf of the applicant, Favretti opened the floor to any members of the audience who wished to speak.

Timothy Quinn of 101 Depot Road: Reemphasized the concerns he expressed at the 9-18-06 meeting, but also feels that if a school bus can't make it in the driveway and has to let the kids off at the curb, other vehicles such as a plow truck, oil delivery truck, or a garbage truck will not be able to gain access into the parking lot as well. He also stated that he does not believe that the basketball court is the appropriate distance away from the property line to meet setback requirements. Quinn would like a phone call when the revised plans come in so he and other neighbors can review them before the next meeting.

At this time Mr. Silva, Superintendent of Regional School District 19, arrived and apologized for being late. He stated that he will provide the PZC with a Statement of Use which will answer some of the questions that have arisen in tonight's meeting and the previous public hearing.

Favretti questioned Silva if a state law still exists requiring that school bus drop-off be on site rather than at curbside. Silva indicated that he is not aware of any law against it; Padick agreed.

Holt questioned Silva again on the alternate site locations, and to what extent other locations were considered, including the Training School. Silva stated that it is too expensive to build from scratch, and indicated that a few sites were looked at, but the Depot location was the most cost effective. The Training School site was not considered for this application.

Erin Meikle of 98 Depot Road: Expressed concern for the families with children living in the Depot area and stated that the traffic is already a problem there. Noise and traffic would only increase with this proposal. She thinks that it is a lot of money to spend on a maximum of 50 students.

Megan Meikle of 98 Depot Road: Stated that the Depot neighborhood has special character that the residents work at keeping. She feels an alternative school is a great idea, but is afraid that it will be overly popular and the building will be quickly outgrown. She would rather see the money put into a new facility elsewhere, and do it now rather than later.

Randolf Steinen of 112 Depot Road: Expressed concern that the search for an alternate location was not very extensive. He also reemphasized his concerns that he expressed at the previous public hearing.

Gardner questioned Silva as to what kind of students are they anticipating to participate in this program. Silva reiterated that these students are not the “trouble makers”, but kids that are not excelling in the traditional high school environment, and that they may benefit more from smaller classes with more one-on-one attention than they can get at E.O. Smith.

Derri Owen of 112 Depot Road: She stated that she envisions that the kids that will end up at this facility will be the troubled ones because it will be their last chance.

David Ferrero of 91 Depot Road: Questioned Silva how the program is being run now. Silva answered that this program does not exist currently. Ferrero also wanted the applicant’s planners to be aware of the large amount of snow that will have to be plowed and to leave enough space for it to be deposited.

Karen Thurber of 29 Middle Turnpike: Questioned if Silva envisions the kids staying throughout the entire program or would they only attend a year or two, and would they apply in 8th grade. She feels the Region 19 School Board was thinking too small. Silva responded that is possible that kids will stay all 4 years.

Joan Ferrero of 91 Depot Road: Reemphasized that she feels the program is a great idea, but doesn’t think the space or grounds will be large enough.

Norm Meikle of 98 Depot Road: Expressed concern that the students will travel to and from the General Store on the dangerous roads or through residents’ yards. Silva stated that there will be no open campus privileges at this site, and there will be no unsupervised activity outdoors.

With no further comments from the public, applicant or Commissioners, Gardner MOVED, Holt seconded, to continue the Public Hearing until October 16, 2006. MOTION PASSED, with Ryan disqualified.

Old Business continued...

2. 8-24 referral: Proposed Referendum Resolution

Kochenburger MOVED, Holt seconded, that the Planning and Zoning Commission of the Town of Mansfield approves the following projects pursuant to Section 8-24 of the General Statutes of Connecticut:

Installation of air conditioning in the Mansfield Community Center gymnasium and related building improvements;

Replacement of the heating system at the Mansfield Middle School, including related renovations, improvements and other work; and

Acquisition by the Town of one or more parcels of land or interests therein for open space, municipal, or passive or active recreational uses, or any combination thereof, after referral of any such proposed acquisition to the Planning and Zoning Commission of the Town for review pursuant to Section 8-24 of the Connecticut General Statutes, Revision of 1958, as amended, and approval by the Town Council following a public hearing held on not less than five days’ published notice;

provided that this resolution is for approval of conceptual plans only. Each project is subject to and shall comply with all applicable zoning, site plan, subdivision, inland wetland and other laws, regulations and permit approvals, and this resolution shall not be a determination that any such project is in compliance with any such applicable laws, regulations or permit approvals.” MOTION PASSED UNANIMOUSLY.

3. Bonding/Subdivision Issues

A-E: Items tabled.

F. Kidder Brook, File #1151-2

Holt MOVED, Gardner seconded, that the Director of Planning be authorized to take appropriate action to release \$5,000 plus accumulated interest that has been held to ensure suitable completion of Kidder Brook Estates subdivision common driveway work. MOTION PASSED UNANIMOUSLY.

4. UConn Water System issues

Item tabled.

5. Presentation by the Green Valley Institute on Open Space Subdivisions

Item tabled.

6. Potential Revisions to PZC/IWA Fee schedule

Item tabled.

New Business:

1. Live Music Permit Renewal Requests

Item tabled - Public Hearing 10-16-06.

2. New Subdivision Application, Dunham Farm Estate, 3-lots on S.

Eagleville/Dunham Pond Roads, EJK Properties LLC., Applicant, File #1252

Holt MOVED, Ryan seconded, to receive the Subdivision application (File #1252) submitted by EJK Properties LLC., for 3 new lots, Dunham Farm Estates Subdivision, on property located at the corner of South Eagleville and Dunham Pond Roads, owned by R. Johnston Jr. and J. Stephens, as shown on plans dated 9/13/06 and as described in other application submissions, and to refer said application to the staff for review and comment. MOTION PASSED UNANIMOUSLY.

3. Review of Special Permit Conditions: G.W. Building & Dev. LLC, 699 Storrs Rd, File #554-3

After a brief discussion, members agreed by consensus to refer this item to staff.

Reports of Officers and Committees:

There was no report from the PZC Chairman or Regional Planning Commission Representatives, and note was made that the next meeting for the Regulatory Review Committee is scheduled for Tuesday, October 10, 2006 at 2:00 p.m.

Favretti announced that Alternate Commission member Vera Stearns has resigned from the Planning and Zoning and Inland Wetlands Commissions.

· Padick updated the Commission on the status of the Downtown Partnership and the preliminary plans.

Communications and Bills:

The agenda items were noted with particular attention to Items #5 & #7, which Padick summarized.

Adjournment:
Favretti declared the meeting adjourned at 9:22 p.m.

Respectfully submitted,

Katherine K. Holt, Secretary